

DISPOSITION: August 28, 1953. Default decree of condemnation. The court ordered that a portion of the product be delivered to the Food and Drug Administration and that the remainder be destroyed.

20843. Adulteration of eviscerated poultry. U. S. v. 291 Pounds * * *. (F. D. C. No. 35214. Sample No. 57375-L.)

LIBEL FILED: April 28, 1953, District of Columbia.

ALLEGED SHIPMENT: On or about April 16, 1953, from Federalsburg, Md., by Caroline Poultry Farms, Inc.

PRODUCT: 291 pounds of eviscerated poultry in 6 crates at Washington, D. C.

LABEL, IN PART: "Caroline Eviscerated * * * Poultry."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of birds which were contaminated with crop material, dirt, and miscellaneous debris.

DISPOSITION: May 26, 1953. Default decree of condemnation. The court ordered that the product be delivered to the National Zoological Park for its use and not for sale.

20844. Adulteration of canned boned turkey and gravy. U. S. v. 26 Cans * * *. (F. D. C. No. 35449. Sample No. 64859-L.)

LIBEL FILED: August 1, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about May 5, 1953, by Browning Foods, from Lawrence, Ind.

PRODUCT: 26 1-pound, 14-ounce cans, of boned turkey and gravy at Minneapolis, Minn.

LABEL, IN PART: "Minut Bun Brand Boned Turkey and Gravy."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: September 21, 1953. Default decree of destruction.

SPICES, FLAVORS, AND SEASONING MATERIALS

20845. Adulteration and misbranding of black pepper and white pepper. U. S. v. 8 Drums * * * (and 9 other seizure actions). (F. D. C. Nos. 35013, 35057 to 35059, incl., 35063, 35071, 35247, 35248, 35264, 35278. Sample Nos. 57066-L, 57069-L, 57070-L, 57851-L, 58117-L, 58794-L, 58795-L, 62486-L, 70972-L, 73198-L.)

LIBELS FILED: Between April 29 and June 3, 1953, Northern District of Ohio, Eastern District of Michigan, Eastern District of Missouri, Southern District of Indiana, Northern District of Illinois, District of Maryland, and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: Between the approximate dates of March 25 and April 17, 1953, by the Milwaukee Spice Mills, from Milwaukee, Wis.

PRODUCT: Black pepper. 10 200-pound drums, 1 100-pound drum, and 6 250-pound drums at Cleveland, Ohio; Detroit, Mich.; Chicago, Ill.; and Philadelphia, Pa.

White pepper. 6 200-pound drums, 1 125-pound drum, and 4 250-pound drums at St. Louis, Mo.; Cleveland, Ohio; Indianapolis, Ind.; Chicago, Ill.; and Baltimore, Md.

NATURE OF CHARGE: Black pepper. Adulteration, Section 402 (b) (2), a mixture of ground soybeans and black pepper in 2 lots, a mixture of black pepper, cottonseed hulls, wheat flour, and ground soybeans in 1 lot, and a mixture of ground black pepper, corn flour, soybean flour, and cottonseed hulls in 1 lot had been substituted in whole or in part for black pepper; and, Section 402 (b) (1), a valuable constituent, pepper, had been in part omitted from 1 lot. Misbranding, Section 403 (a), the label statements "Pepper—Black Ground * * * Freshly Ground Black Pepper" were false and misleading.

White pepper. Adulteration, Section 402 (b) (2), wheat had been substituted in part for white pepper in 5 lots, and a mixture of ground white pepper and corn flour had been substituted in whole or in part for white pepper in 1 lot. Further adulteration, Section 402 (b) (1), a valuable constituent, pepper, had been in part omitted from 1 lot; and, Section 402 (b) (4), in 5 lots wheat had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality. Misbranding, Section 403 (a), the label statements "Freshly Ground Montok White Pepper—Pepper—White Ground" were false and misleading.

DISPOSITION: August 21, 1953. The libel actions having been consolidated for trial in the Northern District of Illinois and the Milwaukee Spice Mills, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for the purpose of converting them into oleoresins of pepper under the supervision of the Department of Health, Education, and Welfare.

20846. Adulteration of chili peppers. U. S. v. 10 Bags * * *. (F. D. C. No. 35080. Sample No. 74052-L.)

LIBEL FILED: June 18, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about April 1, 1953, from New York, N. Y.

PRODUCT: 10 85-pound bags of chili peppers at Santa Ana, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-infested chili peppers, and of a decomposed substance by reason of the presence of moldy chili peppers. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 27, 1953. Default decree of condemnation and destruction.

20847. Adulteration of salad dressing. U. S. v. 925 Jars * * *. (F. D. C. No. 35222. Sample Nos. 57558-L, 57559-L.)

LIBEL FILED: May 1, 1953, District of Columbia.

ALLEGED SHIPMENT: On or about January 8 and February 20, 1953, from New York, N. Y.

PRODUCT: 925 jars of salad dressing at Washington, D. C. Examination showed that the product had undergone decomposition.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 18, 1953. Default decree of condemnation and destruction.